



## The CommLaw Group

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February 29, 2008

### VIA ECFS TRANSMISSION

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 – 12<sup>th</sup> Street, S.W.  
Suite TW-A325  
Washington, D.C. 20554

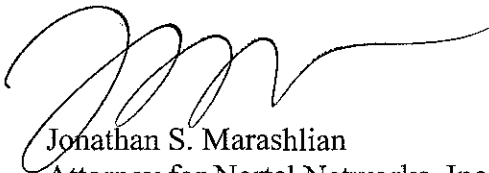
*Re: Nortel Networks, Inc.  
Annual 47 C.F.R. §64.2009(e) Certification  
EB Docket No. 06-36*

Dear Ms. Dortch:

Pursuant to *Public Notice DA08-171* (January 29, 2008), enclosed herewith for filing with the Federal Communications Commission in the above-referenced docket is the Annual §64.2009(e) CPNI Certification and supporting statement of Nortel Networks, Inc.

To the extent you have any questions concerning this filing, please contact the undersigned.

Respectfully submitted,



Jonathan S. Marashlian  
Attorney for Nortel Networks, Inc.

Enclosure

**ANNUAL 47 C.F.R. §64.2009(E) CPNI CERTIFICATION FOR 2008**

Date Filed: February 29, 2008

Name of Company Covered by this Certification: Nortel Networks, Inc.

499 Filer ID: 826625

Name of Signatory: Claudio Morfe

Title of Signatory: General Counsel North America &  
Global Services, Assistant Secretary

I, Claudio Morfe, certify that I am an officer of the company named above and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. §64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensured that the company complies with the requirements set forth in section 64.2001 *et seq.*, of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission) against data brokers in the past year. The company has no information to report with respect to the processes pretexters are using to attempt to access CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized use of CPNI.

Signed: \_\_\_\_\_

Claudio Morfe

**STATEMENT REGARDING NORTEL NETWORKS, INC.**  
**CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)**  
**OPERATING PROCEDURES**

February 29, 2008

Nortel Networks, Inc. ("Nortel" or "Company") provides this statement pursuant to 47 C.F.R. § 64.2009(e) to explain how Nortel's operating procedures ensured compliance with the Federal Communications Commission's ("Commission") CPNI rules for the period of time in 2007 during which the CPNI rules applied to interconnected VoIP services. Nortel provided no other telecommunications services in 2007.

▪ **Customer Approval to Use, Disclose, or Permit Access to CPNI**

Nortel does not use, disclose, or permit access to its customers' CPNI except as such use, disclosure, or access is permitted without customer approval, or as otherwise provided in Section 222 of the Communications act of 1934, as amended. Accordingly, the customer notice and associated record-keeping requirements of the Commission's CPNI rules did not apply during the relevant period. Should Nortel change its policies such that the use, disclosure, or permitted access to CPNI requires customer approval, appropriate customer notice, record-keeping, and FCC notification practices will be implemented.

Consistent with the Commission's rules, although Nortel does not necessarily engage in each of the following activities, Nortel's policies permit it to use, disclose, or permit access to CPNI without customer approval for the purpose of:

- Providing or marketing service offerings among the categories of service (i.e., interconnected VoIP) to which the customer already subscribes without customer approval;
- provisioning CPE and information service(s);
- marketing services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., and call forwarding;
- protecting the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services; and
- as otherwise permitted in Section 222 of the Communications Act of 1934, as amended.

- **Notice of CPNI Rights**

As explained above, Nortel did not use, disclose, or permit access to its customers' CPNI except as permitted without customer approval, or as otherwise provided in Section 222 of the Communications Act of 1934, as amended. Therefore, Nortel is not required to provide customer notice regarding CPNI rights as prescribed in the Commission's rules. Should Nortel change its policies such that customer notice is required, such notice will be provided.

- **Record Retention for Marketing Campaigns**

During the relevant period, Nortel did not engage in any sales or marketing campaigns that used CPNI. Should Nortel engage in such campaigns in the future, Nortel will ensure compliance with the CPNI rules with respect thereto, including maintaining records of sales and marketing campaigns that use CPNI that will include: (i) a description of each campaign, (ii) the specific CPNI that was used in the campaign, and (iii) what products and services were offered as a part of the campaign. Nortel will maintain such records for at least one year.

- **Reporting Opt Out Failures**

Nortel's policy is not to use, disclose, or permit access to its customers' CPNI except as permitted without customer approval under the Commission's rules or as otherwise provided in Section 222 of the Communications Act of 1934, as amended. Should Nortel change its policies and seek customer approval to use, disclose, or permit access to CPNI, Nortel will provide written notice of opt-out failures to the Commission within five business days as specified in the Commission's rules.

- **Supervisor Review Process**

Nortel has a supervisory review process that governs its use of CPNI.

- **Safeguarding CPNI**

Nortel takes the privacy and security of CPNI seriously. These procedures are designed to ensure compliance with the Commission's CPNI rules.

- **Privacy and Security**

Nortel has implemented controls to ensure compliance with the FCC's CPNI rules. For example, Nortel has business team managers whose responsibilities focus on, among other things, CPNI protection and compliance. These business team managers report to Nortel's Law Department regarding CPNI compliance measures.

Although Nortel did not use CPNI in any marketing during the relevant period, should it do so in the future, the company's policies ensure that any CPNI released to sales agents will be specifically protected from disclosure through confidentiality provisions. All Nortel agents will be required to protect CPNI in their possession from unauthorized disclosure and must advise their employees, sub-agents, and similar individuals of their obligation to protect CPNI.

- **CPNI Compliance Program**

As part of its CPNI compliance program, Nortel provides affected employees with a "CPNI Compliance Manual" which explains CPNI and FCC rules regarding the proper use and safeguarding of CPNI. Affected employees must acknowledge that they have read and understand the CPNI Compliance Manual.

- **Employee Discipline**

Nortel has a disciplinary process in place to address noncompliance with Company policies, including policies concerning employee use of, access to, and disclosure of CPNI. An employee found to have violated Nortel's policies, including policies relating to use of, access to, and disclosure of CPNI, is subject to disciplinary action.

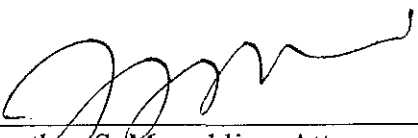
### CERTIFICATE OF SERVICE

I, Jonathan S. Marashlian, hereby certify that on this 29<sup>th</sup> day of February, 2008, I have caused the foregoing Annual §64.2009(e) CPNI Certification and supporting statement of Nortel Networks, Inc. to be filed in EB Docket No. 06-36 via the FCC's Electronic Comments Filing System. On the same date, true and correct copies of this document were also served via electronic mail on the following:

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554  
[Marlene.dortch@fcc.gov](mailto:Marlene.dortch@fcc.gov)

Marcy Greene  
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